

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

SHERMAN JOHNSON

PLAINTIFF

V.

1:08-CV-00112-DAS

MICHAEL J. ASTRUE,  
Commissioner of Social Security

DEFENDANT

**ORDER AWARDING ATTORNEY FEES**

**BEFORE THE COURT** are the plaintiff's motion [doc. 17] for payment of attorney fees and supporting memorandum [doc. 18] and the defendant's response [doc. 19]. In these proceedings, the plaintiff sought judicial review of the final decision of the Commissioner of Social Security, denying his claim for benefits. By Order of Reversal and Remand [doc. 16] the Court granted the Defendant's Motion for Reversal and Remand Pursuant to Sentence Four of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and remanded the plaintiff's claims for further proceedings. The plaintiff now seeks attorney fees pursuant to 28 U.S.C. §2412(d), the Equal Access to Justice Act ("EAJA"). By the Motion and attached exhibits, the plaintiff requests an award of \$3,154.92 in attorney fees and expenses and \$350.00 in costs from the Judgment Fund. The defendant agrees that the plaintiff is entitled to the requested award of fees, expenses, and costs.

The Court, having considered the foregoing and the record of this case, finds the requested amount is reasonable and appropriate. Therefore, it is

**ORDERED** that the plaintiff's motion for payment of attorney fees under the Equal Access to Justice Act is hereby **GRANTED**, and the plaintiff's attorney is hereby awarded the sum of \$3,154.92 in attorney fees plus \$350.00 in costs from the Judgment fund.

**THIS**, the 7<sup>th</sup> day of January, 2009.

/s/ David A. Sanders  
U. S. MAGISTRATE JUDGE